

REMARKS

This amendment is being filed in response to the Office Action dated December 27, 2010. Claims 1, 3-7, 9-12, 17, 19-21, 23-25, 27, and 31-40 are currently pending in the application, with Claims 1, 7, 17, and 21 being the independent claims. Claims 1, 7, 17, and 21 are amended herein. Claims 3, 9, 19, and 23 are canceled herein. For the following reasons, this application should be considered in condition for allowance and the case passed to issue.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 7, 17, 21, and 33-40 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pat. No. 6,295,556 (“Falcon”), in view of U.S. Pat. App. Pub. No. 2004/0003371 (“Coulthard”), and further in view of U.S. Pat. App. Pub. No. 2004/0088377 (“Henriquez”). Claims 3, 9, 19, and 23 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Falcon, in view of Coulthard, and further in view of Henriquez, and further in view of U.S. Pat. App. Pub. No. 2002/0091850 (“Perholtz”). Claims 4, 10, 25, 27, and 31 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Falcon, in view of Coulthard, and further in view of Henriquez, and further in view of U.S. Pat. No. 7,039,709 (“Beadle”). Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Falcon, in view of Coulthard, and further in view of Henriquez, and further in view of U.S. Pat. No. 7,181,524 (“Lele”). Claims 6, 12, 20, and 24 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Falcon, in view of Coulthard, and further in view of Henriquez, and further in view of U.S. Pat. App. Pub. No. 2004/0183831 (“Ritchy”). Claims 11 and 32 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Falcon, in view of Coulthard, and further in view of Henriquez, and further in view of Beadle, and further in view of Lele.

Independent claim 7 has been amended to recite, *inter alia*,

a keystroke management window, wherein the keystroke management window is user modifiable to accept a local keystroke management setting,

wherein if the local keystroke management setting is enabled, all hotkey keystrokes are processed at the remote computing device,

wherein if the local keystroke management setting is disabled, all the hotkey keystrokes are processed at a first local computing device, and *the hotkey keystrokes are prevented from being processed at the remote computing device*

Support for the amendment may be found in the original disclosure, for example, paragraphs [27] and [82]-[84] of the filed specification.

In rejecting previously presented claim 9 containing limitations similar to those presented above, the Office Action acknowledges that Falcon, Coulthard, and Henriquez do not disclose the following features, but the office action contends that Perholtz discloses the following:

[A] keystroke management window, wherein the keystroke management window is user modifiable to accept a local keystroke management setting, wherein if the local keystroke management setting is enabled, a keystroke is processed at the remote computing device, and if the local keystroke management setting is disabled, the keystroke is processed at the first local computing device.¹

Applicants respectfully traverse the forgoing contentions.

Perholtz does not disclose, among others, a local keystroke management setting where “if the local keystroke management setting is disabled, all the hotkey keystrokes are processed at a first local computing device and the *hotkey keystrokes are prevented from being processed at the remote computing device*,” as recited in amended claim 7. Instead, Perholtz discusses a system that “permits a Remote PC to access and control a Host PC.”² More specifically, when

¹ The Office Action, p. 33-34.

² Perholtz at para. [0022].

“a Remote PC is placed in a Host mode, the Remote PC assumes control of the Host PC.”³

Perholtz goes on to explain that “when a Remote PC is in Host mode, all key strokes entered into the Remote PC’s keyboard are intercepted by the TVLINK.EXE program”⁴ located at the Remote PC.⁵ This process permits the *TVLINK.EXE running on the Remote PC to handle the hot keys* even in *Host mode*.⁶ For example, “taps of the left or right shift keys presently cause the TVLINK.EXE program to pop up and activate TVLINK.EXE menu processing. In addition, when the ‘Print Screen’ key is pressed, TVLINK.EXE presently permits this keystroke to pass through to the Remote PC’s operating system, thereby permitting the *Remote PC* to print the contents of a Host PC’s VDM screen to a printer connected to the Remote PC.”⁷

Therefore, even in *Host mode*, the *Remote PC still processes hotkey keystrokes* such as those discussed in paragraph [0289] of Perholtz; thus, the hotkey keystrokes are *not prevented* from being processed at the *Remote PC*. As a result, Perholtz does not teach or suggest a “if the local keystroke management setting is disabled, all the hotkey keystrokes are processed at a first local computing device and the *hotkey keystrokes are prevented from being processed at the remote computing device*,” as recited in amended claim 7.

Since Falcon, Coulthard, Henriquez, and Perholtz all do not teach or suggest what is recited in amended claim 7 as discussed above, Applicants respectfully submit that amended claim 7 could not have been obvious under 35 U.S.C. § 103(a). Independent claims 1, 17, and 21 have also been amended to recite limitations similar to those discussed above. As a result, Applicants submit that independent claims 1, 17, and 21 also could not have been obvious under

³ Perholtz at para. [0288].

⁴ Perholtz at para. [0289].

⁵ See Perholtz at paras. [0257]-[0258].

⁶ See Perholtz at para. [0289].

⁷ See Perholtz at para. [0289].

35 U.S.C. § 103(a). Reconsideration and withdrawal of the rejection of claims 1, 7, 17, and 21 are respectfully requested.

The other claims currently under consideration in the application are dependent from their respective independent claims discussed above and therefore are believed to be allowable over the applied references for at least similar reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested. Reconsideration and withdrawal of the rejections of the dependent claims are respectfully requested.

Additionally, in rejecting claims 3, 9, 19, and 23, the Office Action took official notice that “the use of keystrokes achieves the same purpose as the mouse clicks on a GUI interface.”⁸ With respect to Official Notice, “an examiner may take official notice of facts not in the record or rely on ‘common knowledge’ in making a rejection.”⁹ “[T]he notice of facts beyond the record which may be taken by the examiner must be ‘capable of such instant and unquestionable demonstration as to defy dispute.’”¹⁰

Applicants are at least perplexed by what the Examiner means by “the use of keystrokes achieves the *same purpose* as the mouse clicks on a GUI interface.” Applicants respectfully submit there may be some applications or circumstances that keystrokes and mouse clicks may not achieve the same purpose. As a result, Applicants respectfully traverse this official notice and request the Examiner to provide a reference that describes such an element or a clarification on what exactly is being taken official notice of.

⁸ The Office Action, p. 32.

⁹ MPEP § 2144.03.

¹⁰ *In re Ahlert*, 424 F.2d 1088, 1091, 165 U.S.P.Q 418, 420 (CCPA 1970); *see* MPEP § 2144.03(A).

The absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be other reasons that have not been expressed for patentability of any or all claims. Finally, nothing in this paper should be construed as an intent to concede, or actual concession of, any issue with regard to any claim, or to any cited art, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation.

CONCLUSION

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience. Should the Examiner have any questions, please call the undersigned at the phone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Respectfully submitted,
McDERMOTT WILL & EMERY LLP

/Soyeon (Karen) Pak Laub/
Soyeon (Karen) Pak Laub, Reg. # 39,266

18191 Von Karman Ave., Suite 500
Irvine, CA 92612-7108
Phone: 949.757.7114 RJJ:arc
Facsimile: 949.851.9348
Date: February 25, 2011

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as our correspondence address.**